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**UNITED STATES DISTRICT COURT**  
**FOR THE NORTHERN DISTRICT OF CALIFORNIA**  
**SAN FRANCISCO DIVISION**

IN RE: DA VINCI SURGICAL  
 ROBOT ANTITRUST LITIGATION

THIS DOCUMENT RELATES TO:  
 ALL ACTIONS

Case No.: 3:21-cv- 03825-AMO-LB

**JOINT STIPULATION AND ~~PROPOSED~~**  
**ORDER TO MODIFY CLASS**  
**CERTIFICATION BRIEFING SCHEDULE**

Hearing Date: October 10, 2024  
 Hearing Time: 2:00pm PST  
 Place: Courtroom 10

Judge: The Honorable Araceli Martínez-Olguín

Pursuant to Local Civil Rule 6-2, Plaintiffs Larkin Community Hospital, Franciscan Alliance, Inc., and King County Public Hospital District No. 1, d/b/a Valley Medical Center and Defendant Intuitive Surgical, Inc. (collectively, the “Parties”) stipulate as follows and respectfully request that the Court endorse this stipulation with an order modifying the class certification briefing deadlines:

WHEREAS, on June 6, 2024, Plaintiffs filed their Motion for Class Certification (ECF No. 262) (the “Motion”) and a report from one expert;

WHEREAS, as a result of the originally agreed-upon date for the deposition of Plaintiffs’ expert (July 16, 2024), the Court approved the parties’ stipulation to adjust the briefing schedule (ECF No. 280);

WHEREAS, after the Court issued its Order, Plaintiffs’ expert became sick and as a result, cannot sit for a deposition as scheduled on July 16 but believes he will be able to do so the week of July 22;

WHEREAS, the parties have now agreed to move the deposition to July 24, and as a result of the new timing of the deposition, Intuitive asked Plaintiffs for, and Plaintiffs have agreed, to a three-day extension to the current deadline for Intuitive to file its Opposition to Motion for Class Certification, from July 30 to August 2;

WHEREAS, the Parties are not asking the Court to move the current deadline for Plaintiffs’ Reply brief, September 10, 2024, or the current date, October 10, 2024, for the hearing on the Motion, and thus granting this modification should not affect the overall schedule for the case;

WHEREAS, this is the second extension requested by any party since the Court set the briefing schedule after ruling on the summary judgment motions. *See* Dkt. Nos. 235, 280;

WHEREAS, Plaintiffs and Intuitive have agreed, subject to the Court’s approval, to the following schedule for the Opposition and Reply briefs on the Motion:

Event	Proposed Date
Intuitive’s Opposition	August 2, 2024
Plaintiffs’ Reply	September 10, 2024

NOW THEREFORE, Plaintiffs and Intuitive respectfully request that the Court enter the proposed briefing schedule set forth in the attached Proposed Order.

Dated: July 15, 2024

By: /s/ Jeffrey Corrigan

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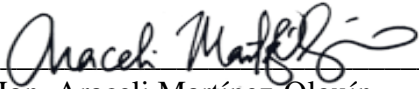
**~~PROPOSED~~ ORDER**

**It is hereby ordered** that the briefing schedule for the Opposition on Plaintiffs' Motion for Class Certification shall be modified as follows:

<b>Event</b>	<b>Proposed Date</b>
Intuitive's Opposition	August 2, 2024

**It is so ordered:**

Dated: July 16, 2024

  
\_\_\_\_\_  
Hon. Araceli Martínez-Olguín  
United States District Court Judge